

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	CASE NO. 07-004M
)	
Plaintiff,)	
)	
v.)	
)	DETENTION ORDER
JOSE NOLASCO-GODINA,)	
)	
Defendant.)	
_____)	

Offense charged: Conspiracy to Distribute Methamphetamine

Date of Detention Hearing: January 9, 2007

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has been charged, together with two co-conspirators, for conspiracy to distribute methamphetamine. The AUSA advises that approximately three pounds of high quality

meth was seized at the time of the arrest, in addition to a firearm found in the vehicle. The maximum penalty of this offense is in excess of ten years. There is therefore a rebuttable presumption against defendant as to both dangerousness and flight risk, under 18 U.S.C. §3142(e).

2. Defendant is a native and citizen of Mexico. He was not interviewed by Pretrial Services, so there is little information about his personal history, residence, family ties or ties to this District, his income, financial assets or liabilities, his physical/mental health or controlled substance use if any. His past criminal record includes a failure to appear for arraignment in 2000, robbery and VUCSA. An immigration detainer is expected to be filed.

3. Based on the expected filing of the immigration detainer, defendant does not contest detention.

4. Taken as a whole, the record does not effectively rebut the presumption that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

It is therefore ORDERED:

(1) Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

(2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;

(3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which defendant is

01 confined shall deliver the defendant to a United States Marshal for the purpose of
02 an appearance in connection with a court proceeding; and

- 03 (4) The clerk shall direct copies of this Order to counsel for the United States, to
04 counsel for the defendant, to the United States Marshal, and to the United States
05 Pretrial Services Officer.

06 DATED this 9th day of January, 2007.

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08 Mary Alice Theiler
09 United States Magistrate Judge
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